

EXHIBIT E



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January 10, 2022

Hon. Robert M. Levy
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

**Re: O'Hara v. City of New York, et al.
17-cv-4766 (ILG) (RML)**

Dear Judge Levy:

I am co-counsel for the Plaintiff, John O'Hara, in the above-referenced action. Pursuant to Your Honor's Order during the November 16, 2021 conference, I am writing jointly, on behalf of all counsel, to propose a discovery schedule in this matter.

On January 5, counsel for all parties conferred regarding the discovery needs in this case. We all recognized that document discovery would be extensive. For example, O'Hara himself has approximately 10 boxes of documents pertaining to his criminal prosecution which must be reviewed prior to their production, and according to a representative from the Kings County District Attorney's Office, they have countless boxes as well. However, many documents are not within the custody or control of either O'Hara or the KCDA, and we all anticipate that significant time and effort will be necessary to gather what is needed in this case. Additionally, as noted during the recent conference in this matter, Plaintiff intends on filing a motion to compel regarding the heavily-redacted initial documents which the DA's Office produced.

Accordingly, counsel proposes the following schedule as to document discovery:

- Initial disclosures – by February 28, 2022
- Document demands and interrogatories – by April 15, 2022
- Responses to Document demands and interrogatories – by June 17, 2022

While we recognize that this schedule may be somewhat lengthier than the norm, we believe that having sufficient time to review the documents exchanged with the initial disclosures will allow us to efficiently tailor our document demands and interrogatories accordingly. Likewise, in order to sufficiently respond to the document demands and interrogatories, we may need more than a month to gather the responsive information.

As to depositions, there are numerous witnesses involved in this case. We believe that we may be able to eliminate the need to depose certain witnesses depending upon the documents produced. Accordingly, the parties are jointly requesting to forgo scheduling a deadline to

conduct depositions at this time. We are requesting that the Court schedule a conference regarding the status of document discovery for the end of June 2022, during which time we anticipate having a more realistic indication as to what the deposition needs may be.

Respectfully,

A handwritten signature in black ink, appearing to read "M. Fisch", written in a cursive style.

Mirel Fisch

CC: All counsel via ECF